

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62327 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- Pachpakdi District- East Champaran

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Vinod Mahto S/O Late Ramdeo Mahto R/O Vill - Sorpania, PS - Pachapakari,
Distt-East Champaran(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr.Raj Kishor Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Pachpakari P.S. Case No. 59 of 2025 registered on 06.04.2025 for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, recovery of 24 litres of country made liquor was made from a bicycle but the rider fled away on seeing the police party. Petitioner is said to be the rider of the bicycle who fled away from the spot.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of this petitioner and he



was not apprehended from the spot. There is no independent witness to the seizure list. Petitioner has no concern with the seized liquor and the bicycle. Petitioner is having antecedent of 6 cases in which he is on bail. Petitioner is in custody since 21.07.2025 and charge-sheet has been submitted.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner was not apprehended from the spot and no recovery has been shown from his conscious possession and also considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-01, East Champaran, Motihari/concerned court in connection with Pachpakari P.S. Case No. 59 of 2025, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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